



FULL BOARD MEETING T-214

Tuesday, October 21, 2003

DRAFT MINUTES

The Fernald Citizens Advisory Board met from 8:30 p.m. to 9:20 p.m. on Tuesday, October 21, 2003, in T-214 at the Fernald Closure Project site. This FCAB meeting immediately followed a Progress Briefing that focused on the Fernald site's draft Comprehensive Groundwater Strategy Report.

Members Present:

Jim Bierer
Kathryn Brown
Sandy Butterfield
Marvin Clawson
Lisa Crawford
Lou Doll
Glenn Griffiths
James Saric, for Gene Jablonowski
Robert Tabor
Steve DePoe
Jane Harper
Tom Schneider, for Graham Mitchell
Gene Willeke

Members Absent:

French Bell
Lisa Blair
Blaine Burton
Pam Dunn

Designated Federal Official:

Gary Stegner

The Perspectives Group Staff:

David Bidwell
Douglas Sarno (By Telephone)

Fluor Fernald Staff:

Sue Walpole

Approximately ten spectators also attended the meeting, including members of the public and representatives from the Department of Energy and Fluor Fernald.

General Announcements and Ex-Officio Comments

Jim Bierer called the meeting to order. David Bidwell apologized that the minutes from the FCAB retreat in September were not distributed prior to the meeting. Jim asked the Board members to review the minutes and send any comments to David; approval of the retreat minutes was postponed until the December meeting.

Glenn Griffiths announced that overall safety statistics for the site have improved. He explained, however, that the D&D project was in a safety stand-down. The MACTEC contract for D&D was terminated by Fluor due to recurrent safety concerns, and Fluor plans to self-perform the D&D work. This change will negatively impact the schedule, but Glenn stated that this should dispel the belief that the site is placing schedule ahead of safety. David showed the Board a monthly packet of site safety statistics and promised that a copy would be provided to each Board member. Glenn explained that OSHA safety rates are calculated as lost workdays per each 200,000 hours worked at the site. Glenn also noted that Train 100 from the Waste Pits Project is scheduled to depart the site in early November.

David announced that Gene Jablonowski could not attend the FCAB meeting because he was attending a federal meeting at which the DOE Risk-Based End State policy would be discussed. Jim Saric, who attended the meeting in Gene's place, announced that U.S. EPA met with Bob Warther of DOE's Ohio Field Office on October 17th to discuss groundwater issues. At that meeting, U.S. EPA indicated to DOE that it would not react favorably to proposals to change the discharge limits for the site. Tom Schneider explained that Graham Mitchell could not attend the meeting due to illness. Tom stated that the Ohio EPA also met with Bob Warther and expressed a lack of support for changing discharge limits to the Great Miami River. He also stated that it was important to consider other alternatives beyond those currently offered for groundwater management at the site.

Jack Craig reiterated the DOE message from the preceding Progress Briefing that the agency wants to restart the process of considering groundwater issues at the site, with full public and regulator participation.

Katie Brown asked about a letter from the Ohio Congressional delegation to DOE, which questions the DOE process of proposing changes to groundwater treatment at the Fernald site. Lisa explained that she contacted the Congressional delegation when she heard that Bob Warther would be visiting their offices to discuss the groundwater report. She explained that this letter was sent to DOE-Ohio after her calls. Jack stated that DOE would provide a response to this letter. The FCAB requested to receive a copy of the DOE response.

David reviewed two articles from Utah newspapers regarding the designation of Silos waste as 11e.(2). Some interests in Utah are opposing the inclusion of this provision in the Energy and Water Bill. David also urged the FCAB Members to read the two reports and one memo provided by the Critical Analysis Team

(CAT) regarding their recent activities on the Silos Projects. He explained that the Cincinnati Enquirer planned to print an article on the silos in upcoming weeks. David stated that the reports provide both positive and critical comments. The CAT will attend the FCAB meeting in December. Gene Willeke expressed concern that the Silos Project is moving forward with procurement before addressing the CAT's criticisms. The FCAB asked that Fluor and DOE respond to the concerns in the CAT reports and memo by early November.

David noted that he has not received comments on the draft letter to Jessie Roberson concerning post-closure community needs beyond long-term surveillance and maintenance from many FCAB members. He asked that the FCAB send any comments to him by November 3. Then, he will revise the letter and it will be sent to Jessie and the other recipients.

Report on SSAB Chairs Meeting

Pam Dunn, Bob Tabor, and Lisa Crawford attended the Chairs meeting in Paducah at the end of September. Bob and Lisa provided a brief report on their experience. They reported that members of the Paducah community attended the meeting and were gracious hosts. Bob stated that the Chairs meetings would be more productive if they focused on critical issues that cut across all of the sites in the Complex. Lisa stated that the Chairs made it very clear to DOE that they did not want Headquarters to control the agendas for their meetings. Lisa noted that the Chairs suggested holding its next meeting in Washington, DC, to facilitate attendance by DOE Headquarters staff.

Lisa also reported that she and Pam had an opportunity to speak with Dave Geiser regarding long-term stewardship issues. David noted that representatives from Fernald, Oak Ridge, and Rocky Flats volunteered to develop a letter regarding site closure and the transition of sites from Environmental Management to Legacy Management.

Bob reported that the future of SSAB Workshops remained unresolved, due to uncertainty regarding the availability of funding.

Debrief of Groundwater Issues

Jim suggested that the Board postpone its discussion of the Risk-Based End State policy, in order to focus the remainder of the meeting on the groundwater issues that were discussed during the Progress Briefing. David stated that there had been a lot of discussion earlier in the evening, but the FCAB should determine its strategy for confronting this issue. He suggested that the Board set aside a substantial portion of its scheduled December 2nd meeting to examine each of the variables that are considered in the draft Comprehensive Groundwater Strategy Report.

Gene Willeke stated that the Progress Briefing presentation had not adequately presented information regarding the proposed alternatives that would eliminate groundwater treatment. He stated that the key issue is the level of uranium that

would be found outside the “mixing zone”--the area where groundwater is pumped into the Great Miami River. Gene requested more information regarding the size of the mixing zone and the concentrations of uranium in the river that would result from those alternatives.

Bob stated that he did not fully understand what was driving the site to propose changing the existing discharge limits. He stated that the FCAB has supported changes in the past, but he was concerned that DOE is trying to change existing agreements. He stated that changes at Fernald could impact how cleanup is handled at other sites in the DOE Complex.

David stated that there are two issues that need to be discussed by the FCAB. One is what is being proposed and what would be the impacts from those proposals. The other is how those decisions will be made and what is the appropriate role of the public in the decision-making process.

Lisa stated that the community has already expressed its anger regarding a change in discharge limits to the Great Miami River. She said that some proposed changes would be considered by the public, but not changing discharge limits. She suggested that DOE remove alternatives that would change agreed-upon discharge limits.

Tom Schneider clarified that all of the alternatives, except the no change option, Alternative 1, would require that U.S. EPA and Ohio EPA agree to alter existing agreements. Bob Tabor warned that these changes would add to a growing perception that “fast cleanup is dirty cleanup.”

Katie Brown asked who had final decision-making authority regarding how DOE would handle groundwater at Fernald. David stated that a final decision would require approval by the U.S. EPA and Ohio EPA. Katie also asked if the proposed groundwater alternatives came from Headquarters. Jack Craig explained that the groundwater plan was written by Fluor to satisfy a requirement in the revised Fluor closure contract. In this contract, Fluor is required to identify the most cost-effective infrastructure for completing the Groundwater Project. DOE Headquarters pushed for the changes to the Fluor contract, in order to complete more of the remediation of the site by 2006. Johnny Reising explained that DOE is seeking alternatives that would allow the Advanced Waste Water Treatment facility to be demolished prior to 2006. Glenn Griffiths stated that any approach to groundwater remediation strategy taken by DOE at Fernald would have to comply with existing cleanup levels (the Federal drinking water standard of 30 parts per billion of uranium) and receive agreement by U.S. EPA and Ohio EPA.

Lisa reiterated her concerns regarding how these proposed changes were handled. She stated that Fernald community members have supported changes in the past, when they were involved early in the decision-making process. Steve DePoe stated that he has concerns that the FCAB will be asked to participate in more changes as closure approaches, but its resources are dwindling.

David asked that the FCAB members send any specific questions on the groundwater plan to Doug Sarno, Sue Walpole, or to him, so they can transmit the questions to the correct contacts.

Public Comments

One member of the public spoke. He expressed concerns regarding the impacts of changing discharges to the Great Miami River, because the projected impacts are based on computer modeling. He stated that computer modeling carries a certain amount of uncertainty.

Next Meeting

The next FCAB meeting will held at T-214 on Tuesday, December 2, 2003, from 6:00 to 9:00 p.m. The meeting will include a presentation by the CAT and will focus on groundwater issues.

On November 18, 2003, at 6:30 p.m., the site will hold a special meeting on how the site will fulfill the DOE Risk-Based End State Policy. The FCAB asked to receive a draft of what the site has prepared to meet this policy prior to the meeting.

James Bierer	Date
Fernald Citizens Advisory Board Chairman	

Gary Stegner	Date
Deputy Designated Federal Official	